

To: Dermer, Michele[Dermer.Michele@epa.gov]; Gambatese, Jason[Gambatese.Jason@epa.gov]
Cc: Coffman, Joel[Coffman.Joel@epa.gov]; Rumrill, Nancy[Rumrill.Nancy@epa.gov]; Robin, George[Robin.George@epa.gov]
From: Robin, George
Sent: Wed 1/21/2015 7:06:59 PM
Subject: RE: UIC/Aquifer Exemption permitting question

Technically, for a primacy state such as the Ca. DOGGR, an AE (Aquifer Exemption) is a revision of their UIC program. The state processes, reviews, seeks public and sister agency Comments, and prepares the documentation, justification, assurance that the aquifer in question qualifies for exemption (meaning “exemption from protection,” because it is “not an USDW” per regulatory guidelines and directives, especially see 40 CFR Part 146.4. The state then formally presents this compilation to the EPA who has the authority to make that decision or denial. The formal submission begins a 45-day clock within which the EPA must respond or default a decision to grant the request. See 40 CFR Part 144.7.

Note, per Chris Flail’s request that this formal action is “when the application is received.” However, informally, the state customarily receives the application from the operator and notifies the EPA, whereupon a quick review/discussion is useful to identify any “show stoppers” or obvious impediments to the exemption, and including any advice that will make the process move efficiently.

George

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From: Dermer, Michele
Sent: Wednesday, January 21, 2015 10:45 AM
To: Gambatese, Jason
Cc: Coffman, Joel; Robin, George; Rumrill, Nancy
Subject: RE: UIC/Aquifer Exemption permitting question

I am not aware of any statutory requirements that govern the review of AE applications, but I have neither received nor processed any. Perhaps George is aware of this? Joel has described the UIC application process and notification of administrative completeness is done in writing.

From: Coffman, Joel
Sent: Wednesday, January 21, 2015 9:10 AM
To: Gambatese, Jason; Robin, George; Rumrill, Nancy; Dermer, Michele
Subject: RE: UIC/Aquifer Exemption permitting question

Once a UIC permit application is received, there is an initial 30 day administrative review performed, followed up with a letter letting the applicant know what is lacking (if anything) and informing them the administrative is either complete, or, pending submittal of missing items, will be completed then. After completion of the administrative review process, technical review begins and the applicant is kept in the loop as that review progresses. Others on this string may have additional comments. The aquifer exemption process operates a bit differently – Michele is probably the best person to provide that answer. Joel

From: Gambatese, Jason
Sent: Wednesday, January 21, 2015 8:56 AM
To: Robin, George; Rumrill, Nancy; Coffman, Joel; Dermer, Michele
Subject: FW: UIC/Aquifer Exemption permitting question

Can one of you answer this question?

Thanks

Jason Gambatese

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for drinking water quality compliance data submittals, please send them to datamanager@epa.gov and copy your program manager

From: Flail, Chris [<mailto:Chris.Flail@chevron.com>]

Sent: Wednesday, January 21, 2015 8:54 AM

To: Gambatese, Jason

Subject: FW: UIC/Aquifer Exemption permitting question

Good Morning Jason

I just have a brief permitting questions that I hope you can help me with. Regarding UIC permits and/or Aquifer Exemption applications, does the EPA notify an applicant once an application is received and the EPA determines the application sufficiently complete for reviewing purposes? If so, can you tell me how the applicant is notified? (mail, email, phone)

Thank you for your time and assistance.

Chris Flail

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